

UNITED STATES DISTRICT COURT

United States

Plaintiff-Appellee,

v.

Thomas R. Rodella

Defendant-Appellant.

District Court No. 14-CR-2783 JB

Court of Appeals No.

15-2023

(if known)

NOTE: THIS DESIGNATION FORM MUST BE COMPLETED AND FILED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE REVERSE SIDE OF THE FORM.

Those original papers which have been designated by circling their respective docket numbers (or dates of entry) on the attached copy of the district court's docket sheets should be included in the record on appeal prepared by the clerk of the district court and transmitted to the clerk of the court of appeals. (If the district court clerk so elects, original papers may be retained in the district court and copies thereof may be included in the record on appeal.)

The following items should also be included in the record on appeal. (Portions of transcripts should be designated by hearing dates and page numbers.)

1. _____
2. _____
3. _____
4. _____
5. _____

(Attach additional sheets if necessary)

Signature: /s/ John D. Cline

Counsel for: Appellant Thomas Rodella

I hereby certify that a copy of this designation, with docket sheets attached, was served on opposing counsel and filed with the clerk of the court of appeals on Feb. 17, 2015.

Signature: /s/ John D. Cline

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APPEAL

**U.S. District Court
District of New Mexico – Version 6.1 (Albuquerque)
CRIMINAL DOCKET FOR CASE #: 1:14-cr-02783-JB All Defendants**

Case title: USA v. Rodella et al

Date Filed: 08/12/2014

Date Terminated: 01/21/2015

Assigned to: District Judge James
O. Browning

Appeals court case number:
15-2023 Tenth Circuit USCA

Defendant (1)

Thomas R. Rodella
TERMINATED: 01/21/2015

represented by **Robert J. Gorence**
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1305 Tijeras NW
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ATTORNEY TO BE NOTICED
Designation: Retained

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Designation: Retained

Pending Counts

18 USC 242: DEPRIVATION OF
RIGHTS
(1s)

18 USC 924(c)(1)(A)(ii):
BRANDISHING A FIREARM
(2s)

Disposition

SENTENCE IMPOSED: CBOP 121 months – a term of 37 months is imposed as to Count 1; a term of 84 months is imposed as to Count 2, said terms shall run consecutively; 3 years supervised release w/special conditions; SPA \$200.00; fine of \$200,000.00; restitution of \$7,135.88 and \$3,200.00 for lost wages; defendant in custody

SENTENCE IMPOSED: CBOP 121 months – a term of 37 months is imposed as to Count 1; a term of 84 months is imposed as to Count 2, said terms shall run consecutively; 3 years supervised release w/special conditions; SPA \$200.00; fine of

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\$200,000.00; restitution of \$7,135.88 and \$3,200.00
for lost wages; defendant in custody

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

18:241: Conspiracy Against Free
Exercise of Civil Rights;
(1)

dismissed

18:242: Deprivation of Rights and
18:2 Aiding and Abetting;
(2)

dismissed

18:924(c)(1)(A)(ii): Brandishing a
Firearm;
(3)

dismissed

18:1519: Falsification of
Documents
(4)

dismissed

**Highest Offense Level
(Terminated)**

Felony

Complaints

Disposition

None

Assigned to: District Judge James O.
Browning

Defendant (2)

Thomas R Rodella, Jr
TERMINATED: 09/05/2014

represented by **Jason Bowles**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

18:241: Conspiracy Against Free Exercise
of Civil Rights;
(1)

dismissed

18:242: Deprivation of Rights and 18:2
Aiding and Abetting;

dismissed

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(2)

18:1519: Falsification of Documents

(5)

dismissed

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition**Intervenor**

El Centro Family Health

represented by **Jerry Todd Wertheim**
 Jones, Snead, Wertheim & Wentworth PA
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Plaintiff

USA

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Date Filed	#	Docket Text
08/12/2014		Judge update in case as to Thomas R. Rodella and Thomas R Rodella, Jr. District Judge James O. Browning added. (emr) (Entered: 08/13/2014)
08/12/2014	<u>2</u>	REDACTED INDICTMENT as to Thomas R. Rodella and Thomas R Rodella, Jr. (emr) (Entered: 08/13/2014)
08/12/2014	<u>3</u>	ARREST Warrant Issued as to Thomas R. Rodella. One certified copy(ies) of Indictment and ARREST Warrant with AO 442 Page 2 delivered to USMS by interoffice mail box. Copy of Indictment and ARREST Warrant placed in USPPS

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		mail box. (emr) (Entered: 08/13/2014)
08/12/2014	<u>4</u>	ARREST Warrant Issued as to Thomas R Rodella, Jr. One certified copy(ies) of Indictment and ARREST Warrant with AO 442 Page 2 delivered to USMS by interoffice mail box. Copy of Indictment and ARREST Warrant placed in USPPS mail box. (emr) (Entered: 08/13/2014)
08/15/2014		Case unsealed as to Thomas R. Rodella and Thomas R Rodella, Jr (emr) (Entered: 08/15/2014)
08/15/2014		Arrest of Thomas R. Rodella and Thomas R Rodella, Jr (emr) (Entered: 08/15/2014)
08/15/2014		Set Hearings as to Thomas R. Rodella, Thomas R Rodella, Jr: Initial Appearance set for 8/15/2014 at 09:30 AM in Albuquerque – 340 Pecos Courtroom before Magistrate Judge Lorenzo F. Garcia. (emr) (Entered: 08/15/2014)
08/15/2014	<u>5</u>	Clerk's Minutes before Magistrate Judge Lorenzo F. Garcia: Initial Appearance/Arraignment as to Thomas R. Rodella (1) Count 1,2,3,4 held; Detention Hearing set for 8/15/2014 at 02:00 PM in Albuquerque – 340 Pecos Courtroom; deft held in custody of USMS (Tape #:Liberty – Pecos) (kd) (Entered: 08/15/2014)
08/15/2014	<u>6</u>	Clerk's Minutes before Magistrate Judge Lorenzo F. Garcia: Initial Appearance/Arraignment as to Thomas R Rodella Jr (2) Count 1,2,5 held; Detention Hearing set for 8/15/2014 at 02:00 PM in Albuquerque – 340 Pecos Courtroom; deft held in custody of USMS(Tape #:Liberty – Pecos) (kd) (Entered: 08/15/2014)
08/15/2014	<u>7</u>	ORAL ORDER of Temporary Detention pending hearing as to Thomas R. Rodella and Thomas R Rodella, Jr by Magistrate Judge Lorenzo F. Garcia (kd) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 08/15/2014)
08/15/2014	<u>8</u>	DISCOVERY ORDER as to Thomas R. Rodella and Thomas R Rodella, Jr by Magistrate Judge Lorenzo F. Garcia (kd) (Entered: 08/15/2014)
08/15/2014	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Robert J. Gorence appearing for Thomas R. Rodella (Gorence, Robert) (Entered: 08/15/2014)
08/15/2014		Attorney update in case as to Thomas R. Rodella. Attorney Robert J. Gorence added. (dmw) (Entered: 08/15/2014)
08/15/2014	<u>10</u>	MOTION for Detention Hearing and Continuance by USA as to Thomas R. Rodella. (kg) (Entered: 08/15/2014)
08/15/2014	<u>12</u>	MOTION for Detention Hearing and Continuance by USA as to Thomas R Rodella, Jr. (kg) (Entered: 08/15/2014)
08/15/2014	<u>14</u>	ORDER Setting Conditions of Release by Magistrate Judge Lorenzo F. Garcia as to Thomas Rodella, Sr. (kg) (Entered: 08/15/2014)
08/15/2014	<u>15</u>	ORDER Setting Conditions of Release by Magistrate Judge Lorenzo F. Garcia as to Thomas Rodella, Jr. (kg) (Entered: 08/15/2014)
08/15/2014	<u>16</u>	Clerk's Minutes before Magistrate Judge Lorenzo F. Garcia: Detention Hearing as to Thomas R. Rodella and Thomas R Rodella, Jr held; defts released with conditions (Tape #:Liberty – Pecos) (kd) (Entered: 08/15/2014)
08/15/2014	<u>17</u>	MOTION to Unseal Indictment by USA as to Thomas R. Rodella, Thomas R Rodella, Jr. (iad) (Entered: 08/15/2014)
08/15/2014	<u>18</u>	Ex Parte Order Unsealing Indictment and All Arrest Warrants Issued on the Indictment by Magistrate Judge Karen B. Molzen (iad) (Entered: 08/15/2014)
08/18/2014	<u>19</u>	Joint MOTION for Speedy Trial and Request for Scheduling Conference by Thomas R. Rodella, Thomas R Rodella, Jr. (Gorence, Robert) (Entered: 08/18/2014)

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08/19/2014	<u>20</u>	NOTICE of Status Conference scheduled for 8/25/2014 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 08/19/2014)
08/19/2014	<u>21</u>	NOTICE OF HEARING as to Thomas R. Rodella, Thomas R Rodella, Jr: Jury Selection/Trial set for 9/15/2014 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (dmw) (Entered: 08/19/2014)
08/19/2014	<u>22</u>	NOTICE <i>Seeking Hyde Amendment Remedy</i> by Thomas R. Rodella, Thomas R Rodella, Jr (Attachments: # <u>1</u> Exhibit A – Letter)(Gorence, Robert) (Entered: 08/19/2014)
08/19/2014		Attorney update in case as to Thomas R Rodella, Jr. Attorney Jason Bowles added. (dmw) (Entered: 08/20/2014)
08/20/2014	<u>23</u>	NOTICE of <i>Non-Opposition</i> by USA as to Thomas R. Rodella, Thomas R Rodella, Jr re <u>19</u> Joint MOTION for Speedy Trial <i>and Request for Scheduling Conference</i> (Neda, Tara) (Entered: 08/20/2014)
08/20/2014	<u>24</u>	NOTICE of <i>Unavailability of counsel 9/9–10 and 10/3–20/2014</i> by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Neda, Tara) Added dates on 8/20/2014 (dmw). (Entered: 08/20/2014)
08/21/2014	<u>25</u>	NOTICE OF ATTORNEY APPEARANCE: Louren M Oliveros appearing for Thomas R. Rodella (Oliveros, Louren) (Entered: 08/21/2014)
08/21/2014		Attorney update in case as to Thomas R. Rodella. Attorney Louren M Oliveros added. (dmw) (Entered: 08/22/2014)
08/22/2014	<u>26</u>	NOTICE OF ATTORNEY APPEARANCE Jeremy Pena appearing for USA. <i>Entry of Appearance</i> (Pena, Jeremy) (Entered: 08/22/2014)
08/22/2014		Attorney update in case as to Thomas R. Rodella, Thomas R Rodella, Jr. Attorney Jeremy Pena for USA added. (dmw) (Entered: 08/22/2014)
08/22/2014	<u>84</u>	ARREST Warrant Returned Executed on 8/15/2014 as to Thomas R. Rodella. (dmw) (Entered: 09/15/2014)
08/22/2014	<u>85</u>	ARREST Warrant Returned Executed on 8/15/2014 as to Thomas R Rodella, Jr. (dmw) (Entered: 09/15/2014)
08/25/2014	<u>110</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Status Conference as to Thomas R. Rodella, Thomas R Rodella, Jr held on 8/25/2014 (Court Reporter: Jennifer Bean) (dmw) (Entered: 09/24/2014)
08/26/2014	<u>27</u>	Joint MOTION to Continue <i>the Trial Setting of September 15, 2014</i> by Thomas R. Rodella, Thomas R Rodella, Jr. (Gorence, Robert) (Entered: 08/26/2014)
08/26/2014	<u>28</u>	ORDER TO CONTINUE by District Judge James O. Browning granting <u>27</u> Joint MOTION to Continue <i>Trial Setting</i> and rescheduling on 9/22/2014 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom. (dmw) (Entered: 08/26/2014)
08/27/2014	<u>29</u>	SCHEDULING ORDER by District Judge James O. Browning (dmw) Modified text on 8/28/2014 (dmw). (Entered: 08/27/2014)
08/27/2014	<u>30</u>	Unopposed MOTION to Dismiss <i>All Counts of the Indictment as To Defendant Thomas Rodella, Jr. Only</i> by USA as to Thomas R. Rodella, Thomas R Rodella, Jr. (Neda, Tara) (Entered: 08/27/2014)
08/27/2014	<u>31</u>	RESPONSE to Motion by Thomas R Rodella, Jr re <u>30</u> Unopposed MOTION to Dismiss <i>All Counts of the Indictment as To Defendant Thomas Rodella, Jr. Only</i> (Bowles, Jason) (Entered: 08/27/2014)
08/27/2014	<u>32</u>	NOTICE of <i>Unavailability of counsel 10/9–22/2014</i> by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Pena, Jeremy) Added dates on 8/27/2014 (dmw). (Entered: 08/27/2014)

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08/27/2014	<u>33</u>	RESPONSE to Motion by Thomas R Rodella, Jr re <u>30</u> Unopposed MOTION to Dismiss All Counts of the Indictment as To Defendant Thomas Rodella, Jr. Only – Amended (Bowles, Jason) (Entered: 08/27/2014)
08/27/2014	<u>34</u>	NOTICE of Intention to Offer Expert Testimony by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Pena, Jeremy) (Entered: 08/27/2014)
08/29/2014	<u>35</u>	NOTICE of Intention to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Pena, Jeremy) (Entered: 08/29/2014)
09/04/2014	<u>36</u>	MOTION Requesting the Court to Conduct an In Camera Review of the Grand Jury Proceedings by Thomas R. Rodella. (Gorence, Robert) (Entered: 09/04/2014)
09/04/2014	<u>37</u>	MOTION to Disqualify Counsel the U.S. Attorney's Office for the District of New Mexico, the Prosecutor in this Case, by Virtue of U.S. Attorney Damon P. Martinez Being a Witness by Thomas R. Rodella. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Jake Arnold)(Gorence, Robert) (Entered: 09/04/2014)
09/05/2014	<u>38</u>	Amended MOTION to Disqualify Counsel the U.S. Attorney's Office for the District of New Mexico, the Prosecutor in this Case, by Virtue of U.S. Attorney Damon P. Martinez Being a Witness by Thomas R. Rodella. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Jake Arnold)(Gorence, Robert) (Entered: 09/05/2014)
09/05/2014	<u>39</u>	NOTICE of Request for Jury to be Drawn from Northern New Mexico Jury Panel by Thomas R. Rodella (Gorence, Robert) (Entered: 09/05/2014)
09/05/2014	<u>40</u>	ORDER by District Judge James O. Browning granting <u>30</u> Motion to Dismiss All Counts of Indictment as to Thomas R Rodella Jr (2) (dmw) (Entered: 09/05/2014)
09/08/2014	<u>41</u>	Proposed Voir Dire by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/08/2014)
09/08/2014	<u>42</u>	NOTICE of Intention to Offer Expert Testimony by Thomas R. Rodella (Attachments: # <u>1</u> Exhibit A – Sanders CV, # <u>2</u> Exhibit B – O'Brien CV, # <u>3</u> Exhibit C – Report)(Gorence, Robert) (Entered: 09/08/2014)
09/08/2014	<u>43</u>	Proposed Voir Dire by Thomas R. Rodella (Gorence, Robert) (Entered: 09/08/2014)
09/09/2014	<u>44</u>	MOTION in Limine Omnibus Motion in Limine by USA as to Thomas R. Rodella. (Pena, Jeremy) (Entered: 09/09/2014)
09/09/2014	<u>45</u>	MOTION in Limine to Permit Evidence of RASO Procedures by USA as to Thomas R. Rodella. (Pena, Jeremy) (Entered: 09/09/2014)
09/09/2014	<u>46</u>	MOTION in Limine to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) by USA as to Thomas R. Rodella. (Pena, Jeremy) (Entered: 09/09/2014)
09/09/2014	<u>47</u>	MOTION Deny Defendant's Request for Jury to Be Drawn from Northern New Mexico Jury Panel re <u>39</u> Notice (Other) by USA as to Thomas R. Rodella. (Attachments: # <u>1</u> Exhibit 1)(Pena, Jeremy) (Entered: 09/09/2014)
09/09/2014	<u>49</u>	MOTION in Limine (Consolidated) by Thomas R. Rodella. (Gorence, Robert) (Entered: 09/09/2014)
09/09/2014	<u>50</u>	MOTION to Strike Expert Testimony of Manuel T. Overby by Thomas R. Rodella. (Gorence, Robert) (Entered: 09/09/2014)
09/09/2014	<u>51</u>	RESPONSE by Thomas R. Rodella re <u>35</u> Notice (Other) in Opposition to Government's Notice of Intention to Introduce Rule 404(b) Evidence (Gorence, Robert) (Entered: 09/09/2014)
09/09/2014	<u>52</u>	NOTICE of Intention to Offer Evidence Pursuant to Federal Rule 404(b) by Thomas R. Rodella (Attachments: # <u>1</u> Exhibit A1, # <u>2</u> Exhibit A2, # <u>3</u> Exhibit A3, # <u>4</u> Exhibit B1, # <u>5</u> Exhibit B2, # <u>6</u> Exhibit B3)(Gorence, Robert) (Entered: 09/09/2014)

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09/09/2014	<u>55</u>	REDACTED SUPERSEDING INDICTMENT as to Thomas R. Rodella. (kg) (Entered: 09/10/2014)
09/10/2014	<u>53</u>	NOTICE of motion hearing regarding the Request for Jury to be Drawn From Northern New Mexico Jury Panel <u>39</u> and the Motion to Deny Request <u>47</u> scheduled for 9/11/2014 at 10:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 09/10/2014)
09/10/2014		Set Hearings as to Thomas R. Rodella: Arraignment set for 9/15/2014 at 09:30 AM in Albuquerque – 440 Hondo Courtroom before Magistrate Judge Steven C. Yarbrough. (emr) (Entered: 09/10/2014)
09/10/2014	<u>56</u>	Amended MOTION in Limine to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) by USA as to Thomas R. Rodella. (Pena, Jeremy) (Entered: 09/10/2014)
09/10/2014	<u>57</u>	EXHIBIT LIST by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/10/2014)
09/10/2014	<u>58</u>	WITNESS LIST by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/10/2014)
09/10/2014	<u>59</u>	NOTICE of Parties' Stipulated Jury Instructions by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/10/2014)
09/10/2014	<u>60</u>	Proposed Jury Instructions by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/10/2014)
09/10/2014	<u>61</u>	WITNESS LIST by Thomas R. Rodella (Gorence, Robert) (Entered: 09/10/2014)
09/10/2014	<u>62</u>	EXHIBIT LIST by Thomas R. Rodella (Gorence, Robert) (Entered: 09/10/2014)
09/10/2014	<u>63</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/10/2014)
09/11/2014	<u>65</u>	WITNESS LIST by Thomas R. Rodella (Gorence, Robert) (Entered: 09/11/2014)
09/11/2014	<u>66</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Thomas R. Rodella held on 9/11/2014 re <u>47</u> MOTION Deny Defendant's Request for Jury to Be Drawn from Northern New Mexico Jury Panel re <u>39</u> Notice (Court Reporter: J. Bean) (vv) (Entered: 09/12/2014)
09/12/2014	<u>67</u>	WITNESS LIST by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Neda, Tara) (Entered: 09/12/2014)
09/12/2014	<u>68</u>	RESPONSE by USA as to Thomas R. Rodella, Thomas R Rodella, Jr re <u>65</u> Witness List (Neda, Tara) (Entered: 09/12/2014)
09/12/2014	<u>69</u>	RESPONSE by USA as to Thomas R. Rodella, Thomas R Rodella, Jr re <u>42</u> Notice (Other) Defendant Thomas R. Rodellas Notice of Intention Offer Expert Testimony (Neda, Tara) (Entered: 09/12/2014)
09/12/2014	<u>70</u>	RESPONSE by USA as to Thomas R. Rodella, Thomas R Rodella, Jr re <u>52</u> Notice (Other) Defendants Notice of Intention to Offer Evidence Pursuant to Federal Rule 404(b) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Neda, Tara) (Entered: 09/12/2014)
09/12/2014	<u>72</u>	RESPONSE in Opposition by Thomas R. Rodella re <u>45</u> MOTION in Limine to Permit Evidence of RASO Procedures (Gorence, Robert) (Entered: 09/12/2014)
09/12/2014	<u>73</u>	RESPONSE to Motion by Thomas R. Rodella re <u>44</u> MOTION in Limine Omnibus Motion in Limine (Gorence, Robert) (Entered: 09/12/2014)
09/12/2014	<u>74</u>	RESPONSE in Opposition by Thomas R. Rodella re <u>46</u> MOTION in Limine to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) (Attachments: # <u>1</u> Exhibit A)(Gorence, Robert) (Entered: 09/12/2014)

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09/12/2014	<u>75</u>	RESPONSE to Motion by USA as to Thomas R. Rodella re <u>50</u> MOTION to Strike <i>Expert Testimony of Manuel T. Overby</i> (Pena, Jeremy) (Entered: 09/12/2014)
09/12/2014	<u>76</u>	RESPONSE to Motion by USA as to Thomas R. Rodella re <u>37</u> MOTION to Disqualify Counsel <i>the U.S. Attorney's Office for the District of New Mexico, the Prosecutor in this Case, by Virtue of U.S. Attorney Damon P. Martinez Being a Witness</i> , <u>38</u> Amended MOTION to Disqualify Counsel <i>the U.S. Attorney's Office for the District of New Mexico, the Prosecutor in this Case, by Virtue of U.S. Attorney Damon P. Martinez Being a Witness</i> (Pena, Jeremy) (Entered: 09/12/2014)
09/14/2014	<u>77</u>	OBJECTIONS by Thomas R. Rodella United States Requested Jury Instructions <u>60</u> (Gorence, Robert) Modified linkage on 9/15/2014 (dmw). (Entered: 09/14/2014)
09/15/2014	<u>78</u>	SECOND AMENDED WITNESS LIST by USA as to Thomas R. Rodella (Neda, Tara) Modified text on 9/15/2014 (dmw). (Entered: 09/15/2014)
09/15/2014	<u>79</u>	Clerk's Minutes for proceedings held before Magistrate Judge Karen B. Molzen: Arraignment as to Thomas R. Rodella (1) Count 1s,2s held on 9/15/2014; defendant entered not guilty plea to superseding indictment; defendant released (Tape #:Liberty-Hondo @ 10:27 am) (dmw) (Entered: 09/15/2014)
09/15/2014	<u>80</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying <u>39</u> Request for Jury to Be Drawn from Northern New Mexico Jury Panel (dmw) (Entered: 09/15/2014)
09/15/2014	<u>81</u>	Court's First Proposed Preliminary Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/15/2014)
09/15/2014	<u>82</u>	RESPONSE in Opposition by USA as to Thomas R. Rodella re <u>49</u> MOTION in Limine (<i>Consolidated</i>) (Neda, Tara) Modified text on 9/16/2014 (dmw). (Entered: 09/15/2014)
09/15/2014	<u>83</u>	WITNESS LIST by USA as to Thomas R. Rodella (Neda, Tara) Modified text on 9/16/2014 (dmw). (Entered: 09/15/2014)
09/15/2014	<u>131</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing/Pretrial Conference as to Thomas R. Rodella held on 9/15-16/2014 (Court Reporter: Jennifer Bean) (dmw) (Entered: 10/08/2014)
09/16/2014	<u>86</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/16/2014)
09/17/2014	<u>91</u>	E-mail re medical journal articles (dmw) (Entered: 09/19/2014)
09/18/2014	<u>87</u>	RESPONSE by USA as to Thomas R. Rodella re <u>63</u> Proposed Jury Instructions, <u>86</u> Proposed Jury Instructions (Pena, Jeremy) (Entered: 09/18/2014)
09/18/2014	<u>88</u>	E-mail re medical journal articles (dmw) (Entered: 09/18/2014)
09/18/2014	<u>89</u>	Proposed Jury Instructions by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/18/2014)
09/18/2014	<u>90</u>	Proposed Voir Dire by Thomas R. Rodella (Gorence, Robert) (Entered: 09/18/2014)
09/18/2014	<u>98</u>	**DUPLICATE-FILED IN ERROR** E-mail re medical journal article (dmw) Modified on 9/22/2014 (dmw). (Entered: 09/22/2014)
09/19/2014	<u>92</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/19/2014)
09/21/2014	<u>93</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning regarding the Notice of Intention to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) <u>35</u> , the Motion in Limine to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) <u>46</u> and the Amended Motion in Limine to Introduce Evidence Pursuant to Federal Rule of Evidence 404(b) <u>56</u> . (kw) (Entered: 09/21/2014)

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09/21/2014	<u>94</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/21/2014)
09/21/2014	<u>95</u>	EXHIBIT LIST by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/21/2014)
09/21/2014	<u>96</u>	MOTION in Limine to Clarify Motion in Limine (Doc. 44) by USA as to Thomas R. Rodella. (Pena, Jeremy) (Entered: 09/21/2014)
09/22/2014	<u>97</u>	WITNESS LIST by USA as to Thomas R. Rodella (Pena, Jeremy) (Entered: 09/22/2014)
09/22/2014	<u>99</u>	NOTICE of Jury Trial resuming on 9/23/2014 and taking place through 9/26/2014 at 9:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning.(kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 09/22/2014)
09/22/2014	<u>100</u>	Court's First Proposed Jury Instructions I(with citations) by District Judge James O. Browning as to Thomas R. Rodella (Attachments: # <u>1</u> Part 2)(dmw) (Entered: 09/22/2014)
09/22/2014	<u>101</u>	Court's First Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/22/2014)
09/22/2014	<u>102</u>	Court's Final Preliminary Jury Instructions (GIVEN) (without citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/22/2014)
09/22/2014	<u>103</u>	Court's Final Preliminary Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/22/2014)
09/22/2014	<u>104</u>	NOTICE of Objections to Court's First Proposed Jury Instructions by USA as to Thomas R. Rodella re <u>101</u> Court's Jury Instructions (Pena, Jeremy) (Entered: 09/22/2014)
09/22/2014	<u>185</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Jury Selection/Trial as to Thomas R. Rodella held on 9/22–26/2014 (Court Reporter: Jennifer Bean) (dmw) (Entered: 02/05/2015)
09/23/2014	<u>105</u>	Court's Second Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/23/2014)
09/23/2014	<u>106</u>	Court's Second Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/23/2014)
09/24/2014	<u>107</u>	NOTICE of Objections to Court's Second Proposed Jury Instructions by USA as to Thomas R. Rodella re <u>105</u> Court's Jury Instructions, <u>106</u> Court's Jury Instructions (Pena, Jeremy) (Entered: 09/24/2014)
09/24/2014	<u>108</u>	Court's Third Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/24/2014)
09/24/2014	<u>109</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/24/2014)
09/24/2014	<u>111</u>	Court's Third Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/24/2014)
09/24/2014	<u>112</u>	Court's Fourth Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/24/2014)
09/24/2014	<u>113</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/24/2014)
09/24/2014	<u>114</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/24/2014)
09/24/2014	<u>115</u>	NOTICE of Objections to Court's Fourth Proposed Jury Instructions by USA as to Thomas R. Rodella re <u>114</u> Proposed Jury Instructions, <u>113</u> Proposed Jury Instructions, <u>112</u> Court's Jury Instructions (Pena, Jeremy) (Entered: 09/24/2014)

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09/24/2014	<u>116</u>	NOTICE of Objections to Court's Fourth Proposed Jury Instructions by Thomas R. Rodella (Oliveros, Louren) (Entered: 09/24/2014)
09/25/2014	<u>117</u>	NOTICE Defendant's Amended Objections to Court's Fourth Proposed Jury Instructions by Thomas R. Rodella (Oliveros, Louren) (Entered: 09/25/2014)
09/25/2014	<u>118</u>	Court's Fifth Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/25/2014)
09/25/2014	<u>119</u>	Court's Fifth Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/25/2014)
09/25/2014	<u>120</u>	Court's Sixth Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/25/2014)
09/25/2014	<u>121</u>	Proposed Jury Instructions by Thomas R. Rodella (Gorence, Robert) (Entered: 09/25/2014)
09/25/2014	<u>122</u>	NOTICE Objections to Court's Final Jury Instructions by Thomas R. Rodella (Oliveros, Louren) (Entered: 09/25/2014)
09/25/2014	<u>123</u>	Court's Seventh Proposed Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/26/2014)
09/26/2014	<u>124</u>	**FILED IN ERROR** Court's Final Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) Modified on 9/29/2014 (dmw). (Entered: 09/26/2014)
09/26/2014	<u>125</u>	**FILED IN ERROR** Court's Final Jury Instructions (GIVEN) (without citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) Modified on 9/29/2014 (dmw). (Entered: 09/26/2014)
09/26/2014	<u>127</u>	REDACTED JURY VERDICT (dmw) (Entered: 09/29/2014)
09/26/2014	<u>129</u>	Court's Final Jury Instructions (with citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/29/2014)
09/26/2014	<u>130</u>	Court's Final Jury Instructions (GIVEN) (without citations) by District Judge James O. Browning as to Thomas R. Rodella (dmw) (Entered: 09/29/2014)
09/28/2014	<u>173</u>	LETTER by Huey Crepelle as to Thomas R. Rodella (kg) (Entered: 01/23/2015)
09/29/2014	<u>128</u>	NOTICE of sentencing hearing as to Defendant Thomas R. Rodella scheduled for 12/26/2014 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 09/29/2014)
10/14/2014	<u>132</u>	NOTICE OF UNAVAILABILITY from December 23, 2014 through January 2, 2015 by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Neda, Tara) Modified on 10/15/2014 TO ADD DATES (vv). (Entered: 10/14/2014)
10/17/2014	<u>133</u>	MOTION for New Trial by Thomas R. Rodella. (Gorence, Robert) (Entered: 10/17/2014)
10/29/2014	<u>187</u>	RETURN OF EXHIBITS to counsel (dmw) (Entered: 02/05/2015)
10/31/2014	<u>134</u>	RESPONSE to Motion by USA as to Thomas R. Rodella re <u>133</u> MOTION for New Trial (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Neda, Tara) (Entered: 10/31/2014)
11/03/2014	<u>135</u>	NOTICE of motion hearing regarding the Motion for a New Trial <u>133</u> scheduled for 11/14/2014 at 01:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 11/03/2014)
11/06/2014	<u>136</u>	REPLY TO RESPONSE to Motion by Thomas R. Rodella re <u>133</u> MOTION for New Trial (Attachments: # <u>1</u> Exhibit A)(Gorence, Robert) (Entered: 11/06/2014)

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11/07/2014	<u>137</u>	MINUTE ORDER, pursuant to the direction of District Judge James O. Browning, vacating the motion hearing scheduled for 11/14/2014 and rescheduling for 11/13/2014 at 03:00 PM. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 11/07/2014)
11/12/2014	<u>138</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying <u>37</u> <u>38</u> Motion to Disqualify Counsel (dmw) (Entered: 11/12/2014)
11/12/2014	<u>139</u>	NOTICE of Entry of Appearance on Behalf of Easter Seals El Mirador Employees by Thomas R. Rodella (Salvato, Sabrina) (Entered: 11/12/2014)
11/12/2014	<u>140</u>	MOTION to Quash Subpoenas to Easter Seals El Mirador Employees to Testify at November 13, 2014 Hearing or Trial by Thomas R. Rodella. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3)(Salvato, Sabrina) (Entered: 11/12/2014)
11/12/2014		Attorney update in case as to Thomas R. Rodella. Attorney Sabrina Rodriguez Salvato, James P Sullivan for Easter Seals El Mirador added. (dmw) (Entered: 11/13/2014)
11/13/2014	<u>141</u>	MOTION to Quash Subpoena or for Protective Order by El Centro Family Health as to Thomas R. Rodella, Thomas R Rodella, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wertheim, Jerry) (Entered: 11/13/2014)
11/13/2014	<u>142</u>	NOTICE OF ATTORNEY APPEARANCE Erin Langenwalter appearing for USA. for third party Elizabeth Davidson, Veterans' Administration (Langenwalter, Erin) (Entered: 11/13/2014)
11/13/2014	<u>143</u>	NOTICE of Non Appearance by Dr. E. Davidson by USA as to Thomas R. Rodella, Thomas R Rodella, Jr (Langenwalter, Erin) (Entered: 11/13/2014)
11/13/2014	<u>144</u>	MOTION to Quash Subpoena for Trial Testimony of Dr. Elizabeth Davidson by USA as to Thomas R. Rodella, Thomas R Rodella, Jr. (Attachments: # <u>1</u> Exhibit Ex. 1 - Subpoena, # <u>2</u> Affidavit Ex. 2 - Affidavit)(Langenwalter, Erin) (Entered: 11/13/2014)
11/13/2014		Attorney update in case as to Thomas R. Rodella. Attorney Erin Langenwalter for Elizabeth Davidson added. (dmw) (Entered: 11/13/2014)
11/13/2014	<u>145</u>	PROTECTIVE ORDER by District Judge James O. Browning re El Centro Family Health's re <u>141</u> Motion to Quash Subpoena (dmw) (Entered: 11/14/2014)
11/13/2014	<u>146</u>	PROTECTIVE ORDER by District Judge James O. Browning for Confidential Unsubstantiated Critical Incident Reports (dmw) (Entered: 11/14/2014)
11/13/2014	<u>188</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Thomas R. Rodella held on 11/13/2014 re <u>140</u> MOTION to Quash Subpoenas to Easter Seals El Mirador Employees, <u>133</u> MOTION for New Trial, <u>144</u> MOTION to Quash Subpoena for Trial Testimony of Dr. Elizabeth Davidson, <u>141</u> MOTION to Quash Subpoena or for Protective Order (Court Reporter: M. Seal) (dmw) (Entered: 02/05/2015)
11/18/2014	<u>147</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning sustaining in part and overruling in part <u>69</u> Objection to Notice of Intention to Offer Expert Testimony <u>42</u> as to Thomas R. Rodella (dmw) (Entered: 11/18/2014)
11/18/2014	<u>148</u>	SENTENCING MEMORANDUM by USA as to Thomas R. Rodella (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> In the Matter of Thomas R. Rodella)(Neda, Tara) (Entered: 11/18/2014)
11/19/2014	<u>149</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning granting in part and denying in part <u>50</u> Motion to Strike Expert Testimony of Manuel T. Overby (dmw) (Entered: 11/19/2014)
11/20/2014	<u>150</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning granting <u>45</u> Motion in Limine to Permit Evidence of Rio Arriba County Sheriff Office Procedures as Part of the Training Materials as to Thomas R. Rodella (1)

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		(dmw) (Entered: 11/20/2014)
11/20/2014	<u>151</u>	RESPONSE to Motion by USA as to Thomas R. Rodella re <u>133</u> MOTION for New Trial (<i>Supplemental</i>) (Attachments: # <u>1</u> Exhibit 9, # <u>2</u> Exhibit 10, # <u>3</u> Exhibit 11, # <u>4</u> Exhibit 12a, # <u>5</u> Exhibit 12b, # <u>6</u> Exhibit 13, # <u>7</u> Exhibit 14, # <u>8</u> Exhibit 15, # <u>9</u> Exhibit 16, # <u>10</u> Exhibit 17)(Neda, Tara) (Entered: 11/20/2014)
12/01/2014	<u>152</u>	NOTICE of Withdrawal by Thomas R. Rodella re <u>133</u> MOTION for New Trial (Gorence, Robert) (Entered: 12/01/2014)
12/01/2014	<u>153</u>	WITHDRAWAL of <u>141</u> Motion by El Centro Family Health as to Thomas R. Rodella to Quash Subpoena or for Protective Order (Wertheim, Jerry) Modified linkage on 12/2/2014 (dmw). (Entered: 12/01/2014)
12/02/2014	<u>172</u>	LETTER by Roberto "Bobby" J. Gonzales as to Thomas R. Rodella (kg) (Entered: 01/23/2015)
12/04/2014	<u>154</u>	**FILED IN ERROR** NOTICE of Unavailability by USA as to Thomas R. Rodella (Neda, Tara) Modified on 12/4/2014 (dmw). (Entered: 12/04/2014)
12/04/2014	<u>155</u>	NOTICE of Unavailability of counsel 2/6-9/2015 by USA as to Thomas R. Rodella (Neda, Tara) Added dates on 12/4/2014 (dmw). (Entered: 12/04/2014)
12/15/2014	<u>156</u>	MINUTE ORDER, notifying the parties that pursuant to an e-mail communication from Chief District Judge M. Christina Armijo to Court staff dated 12/8/2014, informing that, because of an Executive Order which President Obama issued closing Executive Departments and Agencies of the Federal Government on 12/26/2014, and, because of the work that the Court does from day-to-day in Chambers, the courtrooms and in the Clerk's office involving staff from agencies within the Executive Branch of Government, she would be closing the Court as well on Friday, December 26, 2014. Accordingly, the sentencing hearing as to Defendant Thomas R. Rodella is vacated and rescheduled for 1/21/2015 at 09:00 AM. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 12/15/2014)
01/12/2015	<u>157</u>	OBJECTION TO PRESENTENCE INVESTIGATION REPORT by Thomas R. Rodella (Gorence, Robert) (Entered: 01/12/2015)
01/12/2015	<u>193</u>	NOTICE of letter including: Commendations letters to the Chief of the New Mexico State Police; educational degrees and certificates of achievement and letters of support from Mr. Rodella's family and friends [lodged in Records Department] (dmw) (Entered: 02/06/2015)
01/14/2015	<u>158</u>	NOTICE <i>Supplemental Sentencing Memorandum</i> by USA as to Thomas R. Rodella re <u>148</u> Sentencing Memorandum, (Attachments: # <u>1</u> Exhibit 1)(Neda, Tara) (Entered: 01/14/2015)
01/14/2015	<u>159</u>	RESPONSE by USA as to Thomas R. Rodella re <u>157</u> Objections to Presentence Report (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 11)(Neda, Tara) Modified linkage/text on 1/15/2015 (dmw). (Entered: 01/14/2015)
01/15/2015	<u>160</u>	Second MOTION for New Trial by Thomas R. Rodella. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Gorence, Robert) (Entered: 01/15/2015)
01/16/2015	<u>161</u>	MOTION to Continue <i>Sentencing</i> by Thomas R. Rodella. (Gorence, Robert) (Entered: 01/16/2015)
01/16/2015	<u>162</u>	NOTICE of motion hearing regarding the Second Motion for a New Trial <u>160</u> and the Motion for Continuance of Sentencing <u>161</u> scheduled for 1/20/2015 at 10:30 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. (kw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 01/16/2015)
01/16/2015	<u>163</u>	AFFIDAVIT by Thomas R. Rodella <u>160</u> Second MOTION for New Trial filed by Thomas R. Rodella (Gorence, Robert) (Entered: 01/16/2015)

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01/16/2015	<u>164</u>	RESPONSE in Opposition by USA as to Thomas R. Rodella re <u>161</u> MOTION to Continue <i>Sentencing</i> (Pena, Jeremy) (Entered: 01/16/2015)
01/16/2015	<u>165</u>	RESPONSE to Motion by USA as to Thomas R. Rodella re <u>160</u> Second MOTION for New Trial (Attachments: # <u>1</u> Exhibit)(Pena, Jeremy) (Entered: 01/16/2015)
01/16/2015	<u>166</u>	NOTICE of Amended Supplemental Sentencing Memorandum by USA as to Thomas R. Rodella re <u>158</u> Notice (Other) <u>148</u> Sentencing Memorandum, (Pena, Jeremy) (Entered: 01/16/2015)
01/20/2015	<u>167</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R. Rodella, Jr held on August 25, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/27/2015. Redaction Request due 2/10/2015. Redacted Transcript Deadline set for 2/20/2015. Release of Transcript Restriction set for 4/20/2015.(jab) (Entered: 01/20/2015)</p>
01/20/2015	<u>168</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R. Rodella, Jr held on September 11, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/27/2015. Redaction Request due 2/10/2015. Redacted Transcript Deadline set for 2/20/2015. Release of Transcript Restriction set for 4/20/2015.(jab) (Entered: 01/20/2015)</p>
01/20/2015	<u>169</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R. Rodella, Jr held on September 15, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that</p>

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		<p>redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/27/2015. Redaction Request due 2/10/2015. Redacted Transcript Deadline set for 2/20/2015. Release of Transcript Restriction set for 4/20/2015.(jab) (Entered: 01/20/2015)</p>
01/20/2015	<u>170</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 16, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/27/2015. Redaction Request due 2/10/2015. Redacted Transcript Deadline set for 2/20/2015. Release of Transcript Restriction set for 4/20/2015.(jab) (Entered: 01/20/2015)</p>
01/20/2015	<u>189</u>	<p>Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Thomas R. Rodella held on 1/20/2015 re <u>161</u> MOTION to Continue <i>Sentencing</i>, <u>160</u> Second MOTION for New Trial (Court Reporter: Jennifer Bean) (dmw) (Entered: 02/05/2015)</p>
01/21/2015	<u>179</u>	<p>Clerk's Minutes for proceedings held before District Judge James O. Browning: Sentencing held on 1/21/2015 for Thomas R. Rodella (1), Count(s) 1, 2, 3, 4, dismissed; Count(s) 1s, 2s, SENTENCE IMPOSED: CBOP 121 months - a term of 37 months is imposed as to Count 1; a term of 84 months is imposed as to Count 2, said terms shall run consecutively; 3 years supervised release w/special conditions; SPA \$200.00; fine of \$200,000.00; restitution of \$7,135.88 and \$3,200.00 for lost wages; defendant in custody. (Court Reporter: Jennifer Bean) (dmw) (Entered: 01/27/2015)</p>
01/22/2015	<u>171</u>	<p>NOTICE of Unavailability from 1/17-1/18/15 by USA as to Thomas R. Rodella (Neda, Tara) Modified text on 1/23/2015 (kg). (Entered: 01/22/2015)</p>
01/23/2015	<u>174</u>	<p>TRANSCRIPT of Trial Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 22, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p>

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		Notice of Intent to Request Redaction set for 1/30/2015. Redaction Request due 2/13/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/23/2015.(jab) (Entered: 01/23/2015)
01/23/2015	(175)	<p>TRANSCRIPT of Trial Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 23, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/30/2015. Redaction Request due 2/13/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/23/2015.(jab) (Entered: 01/23/2015)</p>
01/23/2015	(176)	<p>TRANSCRIPT of Trial Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 24, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 1/30/2015. Redaction Request due 2/13/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/23/2015.(jab) (Entered: 01/23/2015)</p>
01/23/2015	(177)	<p>TRANSCRIPT of Trial Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 25, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Mary Abernathy Seal, Telephone number 505-843-9494. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p>

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		Notice of Intent to Request Redaction set for 1/30/2015. Redaction Request due 2/13/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/23/2015.(jab) (Entered: 01/23/2015)
01/23/2015	<u>178</u>	TRANSCRIPT of Trial Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on September 26, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmccourt.fed.us. Notice of Intent to Request Redaction set for 1/30/2015. Redaction Request due 2/13/2015. Redacted Transcript Deadline set for 2/23/2015. Release of Transcript Restriction set for 4/23/2015.(jab) (Entered: 01/23/2015)
01/29/2015	180	ASSOCIATION of Attorney Licensed Outside the District for Defendant Thomas R. Rodella by John Cline (Association Dues – Online Payment) (Cline, John) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 01/29/2015)
01/29/2015		Association Dues Received: \$ 100 receipt number 1084-3912844 re: # 180 Association of Attorney Licensed Outside the District, filed by Thomas R. Rodella (Payment made via Pay.gov)(Cline, John) (Entered: 01/29/2015)
01/29/2015	<u>181</u>	NOTICE of Certificate of Good Standing and Entry of Appearance for John Cline by Thomas R. Rodella re 180 Association of Attorney Licensed Outside the District, (Gorence, Robert) (Entered: 01/29/2015)
01/29/2015		Attorney update in case as to Thomas R. Rodella. Attorney John Cline for Thomas R. Rodella added. (dmw) (Entered: 01/30/2015)
02/02/2015	<u>182</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying <u>160</u> Second MOTION for New Trial as to Thomas R. Rodella (dmw) (Entered: 02/02/2015)
02/03/2015	<u>183</u>	NOTICE OF WITHDRAWAL re <u>36</u> MOTION Requesting the Court to Conduct an In Camera Review of the Grand Jury Proceedings (Gorence, Robert) Modified text on 2/3/2015 (dmw). (Entered: 02/03/2015)
02/04/2015	<u>200</u>	CORRESPONDENCE re Crime Victim's Reparation as to Thomas R. Rodella (dmw) (Entered: 02/11/2015)
02/05/2015	<u>184</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning overruling in part and sustaining in part <u>157</u> Objections to Presentence Investigation Report and Sentencing Memorandum as to Thomas R. Rodella (dmw) (Entered: 02/05/2015)
02/06/2015	<u>190</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning sustaining in part and overruling in part <u>77</u> Objections to Requested Jury Instructions as to Thomas R. Rodella (dmw) (Entered: 02/06/2015)
02/06/2015	<u>191</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying <u>161</u> MOTION to Continue <i>Sentencing</i> as to Thomas R. Rodella (dmw) (Entered: 02/06/2015)
02/06/2015	<u>192</u>	JUDGMENT by District Judge James O. Browning as to Defendant Thomas R. Rodella. (kw) (Entered: 02/06/2015)

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02/06/2015	<u>194</u>	NOTICE OF APPEAL by Thomas R. Rodella re <u>192</u> Judgment (Filing Fee – Online Payment) (Gorence, Robert) (Entered: 02/06/2015)
02/06/2015		Filing Fee Received: \$ 505 receipt number 1084–3927585 re <u>194</u> Notice of Appeal – Final Judgment filed by Thomas R. Rodella (Payment made via Pay.gov)(Gorence, Robert) (Entered: 02/06/2015)
02/06/2015	<u>195</u>	MOTION for Bond <i>Pending Appeal</i> by Thomas R. Rodella as to Thomas R. Rodella (Cline, John) Modified text on 2/6/2015 (dmw). (Entered: 02/06/2015)
02/06/2015	<u>196</u>	Transmission of Preliminary Record as to Thomas R. Rodella to US Court of Appeals re <u>194</u> Notice of Appeal – Final Judgment (dmw) (Entered: 02/06/2015)
02/06/2015	<u>197</u>	USCA Information Letter with Case Number 15–2023 for <u>194</u> Notice of Appeal – Final Judgment filed by Thomas R. Rodella. (dmw) (Entered: 02/06/2015)
02/09/2015	<u>198</u>	AMENDED JUDGMENT by District Judge James O. Browning as to Defendant Thomas R. Rodella. (kw) (Entered: 02/09/2015)
02/10/2015	<u>199</u>	Transmission of Supplemental Preliminary Record as to Thomas R. Rodella to US Court of Appeals re <u>194</u> Notice of Appeal – Final Judgment (dmw) (Entered: 02/10/2015)
02/13/2015	<u>201</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on November 13, 2014, before District Judge James O. Browning. Court Reporter/Transcriber Mary Abernathy Seal, Telephone number 505–843–9494. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven–day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 2/20/2015. Redaction Request due 3/6/2015. Redacted Transcript Deadline set for 3/16/2015. Release of Transcript Restriction set for 5/14/2015.(jab) (Entered: 02/13/2015)</p>
02/13/2015	<u>202</u>	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on January 20, 2015, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505–348–2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven–day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 2/20/2015. Redaction Request due 3/6/2015. Redacted Transcript Deadline set for 3/16/2015. Release of Transcript Restriction set for 5/14/2015.(jab) (Entered: 02/13/2015)</p>

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02/13/2015	(203)	<p>TRANSCRIPT of Motion Proceedings as to Thomas R. Rodella, Thomas R Rodella, Jr held on January 21, 2015, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Tape Number: NA. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at www.nmcourt.fed.us.</p> <p>Notice of Intent to Request Redaction set for 2/20/2015. Redaction Request due 3/6/2015. Redacted Transcript Deadline set for 3/16/2015. Release of Transcript Restriction set for 5/14/2015.(jab) (Entered: 02/13/2015)</p>
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